

CONGRESSIONAL RECORD SUMMARY

Wednesday, October 9, 2002, Part I

SENATE

H.R. 3295. Election Reform Conference Report--Agreement:

A unanimous-consent-time agreement was reached providing that, notwithstanding Rule 22, when the Senate considers the conference report on **H.R. 3295**, to require States and localities to meet uniform and nondiscriminatory election technology and administration requirements applicable to Federal elections, to establish grant programs to provide assistance to States and localities to meet those requirements and to improve election technology and the administration of Federal elections, to establish the Election Administration Commission, it be considered under a 2 hour time limitation; that upon the use or yielding back of time, Senate proceed to vote on adoption of the conference report.

Pages S 10232, D 10232

Committee Meetings:

Committee on Finance: Committee concluded hearings on the financial war on terrorism, focusing on certain Federal agency measures to identify, disrupt, and dismantle terrorist financial networks.

Page D 1064

Committee on Governmental Affairs: Committee ordered favorably reported the following business items: **S. 1651**, to establish the United States Consensus Council to provide for a consensus building process in addressing national public policy issues, with an amendment in the nature of a substitute; **S. 3054**, to provide for full voting representation in Congress for the citizens of the District of Columbia; **S. 2936**, to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percent relating to periods of receiving disability payments, with an amendment; **S. 2527**, to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation; **S. 3070**, to authorize appropriations for the Merit Systems Protection Board and the Office of Special Counsel; **S. 3044**, to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release; **H.R. 4878**, to provide for estimates and reports of improper payments by Federal agencies, with an amendment in the nature of a substitute; **S. 2644**, to amend chapter 35 of title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements, with an amendment in the nature of a substitute.

Pages D 1065-6

Committee on Indian Affairs: Committee concluded hearings on **S. 2694**, to extend Federal recognition to the Chickahominy Tribe, the Chickahominy Indian Tribe--Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Tribe, and the Nansemond Tribe.

Committee on the Judiciary: Subcommittee on Technology, Terrorism, and Government Information concluded oversight hearings to examine the effectiveness and efficiency of the Federal Bureau of Investigation counterterrorism program, and the implementation of the USA Patriot Act (Public Law 107-56), and the Enhanced Border Security and visa Entry Reform Act (Public Law 107-173).

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Remarks:

Nomination Of Judge Dennis Shedd.

"...In an unprecedented move, Chairman Leahy violated committee rules and removed the nomination of Judge Dennis Shedd from the agenda. On a procedural vote, the committee refused to consider Judge Shedd's nomination. I am hurt and disappointed by this egregious act of destructive politics. Chairman Leahy assured me on numerous occasions that Judge Shedd would be given a vote. I took him at his word. [] I hope this situation will be corrected and that Judge Shedd will soon be confirmed as a judge on the Fourth Circuit Court of Appeals..."

Thurmond

Pages S 10162-4

Mr. Reid's response to Mr. Thurmond's remark above:

"... The Judiciary Committee has continued to receive opposition from South Carolina and from African American and other civil rights organizations and leaders from around the country to the Shedd nomination. Senators are taking those concerns seriously and being thoughtful and deliberate in reaching their own conclusions. [] In fact, no judge was confirmed to the fourth Circuit during the last 30 months of Republican majority control even though there were nominees of significant qualifications. [] During the last 15 months, the Judiciary Committee has held hearings on over 100 judicial nominees, voted on 100 and reported 98. The Senate has confirmed 80 to date with 18 more on the calendar, as we speak. That is more hearings for more nominees and more votes on nominees and more confirmations of more nominees than in the last 30 months in which Republicans controlled the Senate. The Judiciary Committee is doing a good job of helping reduce the judicial vacancies it inherited from the Republicans when they delayed and obstructed President Clinton's nominees. ..."

Mr. Hatch's response to Mr. Thurmond's remark above:

"... Think about it. Judge Shedd has been waiting for almost 18 months. Now all of a sudden, at the last minute, we come up with all of these lame excuses to not give him a vote. All we were asking for was a vote in accordance with the rules of the Senate--a vote in the Judiciary Committee and then a vote on the floor--for a man who used to be chief of staff of the Judiciary Committee, who was sponsored by one of the most dignified and important Senators in the history of this body. Just one committee vote and a floor vote. [] Now this is wrong. It is wrong to treat a senior Senator like this. It is wrong to treat a distinguished Federal district court judge like this. It is wrong to break the rules. It is wrong to break them with impunity. And I think it is wrong to treat the President's nominees this way..."

HOUSE**Reports Filed:****Reports were filed today as follows:**

Conference report on H.R. 5011, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2003 (House Report 107-731);

Conference report on H.R. 5010, making appropriations for the Department of Defense for the fiscal year ending September 30, 2003 (House Report 107-732).

Pages H 7345-75, Continued next issue, D 1066

Motion to Instruct Conferees--H.R. 4546. Bob Stump National Defense Authorization Act for Fiscal Year 2003:

Representative Taylor of Mississippi announced his intention to offer a motion that the managers on the part

of the House at the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to the bill **H.R. 4546**, Bob Stump National Defense Authorization Act for Fiscal Year 2003, be instructed to agree to the provisions contained in section 641 of the Senate amendment (relating to payment of retired pay and compensation to disabled military retirees).

Pages H 7306, D 1067

S.J. Res. 45. Further Resolution On Iraq.

Pages S 10145-62, S 10164-S 10217, D 1063

*"... I stand before the Members today, one of three African Americans sent to the United States Congress 10 years ago, the first time in 129 years that Florida sent an African American to Congress from the great State of Florida; the scene of the crime of the 2000 Presidential election, where thousands of African American votes were not counted, over 27,000 thrown out in my district, with the **Supreme Court** selecting the President in a 5-4 decision. Many of my colleagues say that the President is the only person elected by all of the people. Did I miss something? This President was selected by the **Supreme Court**, and that fateful decision was over 600 days ago. Now this President, who runs our country without a mandate, has pushed us to the brink of war. [] This is a sad day, almost as sad as it was 627 days ago when the **Supreme Court** selected George W. Bush as the President. The White House talks about dictators, but we have not done anything to correct what has happened right here in the United States. It amazes me that we question other governments when in our country we did not have a fair election..." (Brown, pages H 7334-5)*

Committee Meetings:

Committee on Appropriations: Ordered reported the VA, HUD and Independent Agencies appropriations for fiscal year 2003.

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Committee on Government Reform: Ordered reported the following bills: **H.R. 5205**, to amend the District of Columbia Retirement protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia; **H.R. 5215, amended, Confidential Information Protection and Statistical Efficiency Act of 2002**; **H.R. 4187**, amended, Presidential Records Act Amendments of 2002; and **H.R. 2458, amended, E-Government Act of 2002**. **The Committee also approved the following Committee Reports entitled:** "Making Federal Computers Secure: Overseeing Effective Information Security Management;" "How Can The Federal Government Better Assist State and Local Governments Prepare for a Biological, Chemical, or Nuclear Attack?;" "The Federal Government's Continuing Efforts to Improve Financial Management;" "Defense Security Service: The Personnel Security Investigations (PSI) Backlog Poses a Threat to National Security;" "Federal Law Enforcement at the Borders and Ports of Entry: Challenges and Solutions;" and "Problems With the Presidential Gifts System."

Committee on the Judiciary: Ordered reported the following bills: **H.R. 2155**, amended, to amend title 18, United States Code, to make it illegal to operate a motor vehicle with a drug or alcohol in the body of the driver at a land border port of entry; **H.R. 4967**, Border Commuter Student Act of 2002; and **H.R. 5334**, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

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Committee Meetings For Thursday, October 10, 2002:

Committee on the Judiciary, @ 9:00 a.m. Subcommittee on the Constitution, oversight hearing on "A Judicial Diminished is Justice Denied: the Constitution, the Senate, and the Vacancy Crisis in the Federal Judiciary." 2141 Rayburn.

Committee on the Judiciary, @ 11:00 a.m. Subcommittee on Crime, Terrorism, and Homeland Security, hearing and markup of **H.R. 5519, *Reducing Americans' Vulnerability to Ecstasy Act of 2002.*** 2237 Rayburn.

Committee on Science, @ 10:00 a.m. Hearing on Conducting Research During the War on Terrorism: *Balancing Openness and Security.* 2318 Rayburn.

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Remarks:

**Service-Disabled Veterans' Small Business Federal Procurement Preference Act Of 2002.
(H.R. 5583)**

"...I am introducing H.R. 5583, 'Service- Disabled Veterans' Small Business Federal Procurement Preference Act of 2002.' This bill would provide service-disabled veterans and 'other handicapped' individuals who own small business firms a time-delimited preference in the award of Federal contracts..."

Evans

Pages E 1804-5

Expressing Support For President's 2002 National Drug Control Strategy.

Rangel

Page E 1808

Honoring The Ratification Of "*The U.S. Cyprus Mutual Legal Assistance Treaty.*"

"...This Treaty provides for many provisions that will fight not just global terrorism, but also organized crime and drug trafficking. In particular, the Treaty will allow the two countries to more effectively coordinate the transfer of persons in custody, execute searches and seizures, share documents and intelligence materials, identify persons of interest to authorities, and prosecute a wide range of criminal offenses..."

Gekas

Pages E 1809-10

Next SENATE MEETING: Wednesday, 9:15 a.m., October 10, 2002.

Next HOUSE MEETING: Wednesday, 9:00 a.m., October 10, 2002.

OLA: S. Schwarz, A. Santos